

and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193)) is amended in the matter preceding subclause (I) by striking "institution" and all that follows through "section 202(x)(1)(A)," and inserting "institution comprising a jail, prison, penal institution, or correctional facility, or with any other interested State or local institution a purpose of which is to confine individuals as described in section 202(x)(1)(A)(ii)."

(4) LIMITATION ON CATEGORIES OF INMATES WITH RESPECT TO WHOM PAYMENT MAY BE MADE.—Section 1611(e)(1)(I)(i)(II) of such Act (as added by section 203(a)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193)) is amended by striking "inmate of the institution" and all that follows through "in such institution and" and inserting "individual who is eligible for a benefit under this title for the month preceding the first month throughout which the individual is an inmate of the jail, prison, penal institution, or correctional facility, or is confined in the institution as described in section 202(x)(1)(A)(ii), and who".

(5) TECHNICAL CORRECTION.—Section 1611(e)(1)(I)(i)(II) of such Act (as amended by the preceding provisions of this subsection) is amended further by striking "subparagraph" and inserting "paragraph".

(6) EFFECTIVE DATE.—The amendments made by this subsection shall apply as if included in the enactment of section 203(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193). The references to section 202(x)(1)(A)(ii) of the Social Security Act in section 1611(e)(1)(I)(i) of such Act as amended by paragraphs (3) and (4) shall be deemed a reference to such section 202(x)(1)(A)(ii) as amended by subsection (b)(1)(C).

(e) EXEMPTION FROM COMPUTER MATCHING REQUIREMENTS.—

(1) IN GENERAL.—Section 552a(a)(8)(B) of title 5, United States Code, is amended—

(A) by striking "or" at the end of clause (vi);

(B) by adding "or" at the end of clause (vii); and

(C) by inserting after clause (vii) the following new clause:

"(viii) matches performed pursuant to section 202(x) or 1611(e)(1) of the Social Security Act;"

(2) CONFORMING AMENDMENT.—Section 1611(e)(1)(I)(iv) of the Social Security Act (as added by section 203(a)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193) and redesignated by subsection (d)(1)(B)) is amended further by striking "(I) The provisions" and all that follows through "(II) The Commissioner" and inserting "The Commissioner".

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky [Mr. BUNNING] and the gentleman from Virginia [Mr. PAYNE] each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky [Mr. BUNNING].

#### GENERAL LEAVE

Mr. BUNNING of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4039.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BUNNING of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 4039, the Social Security Miscellaneous Amendments Act of 1996.

A few months ago, the Social Security Administration came to us, and asked for legislation to make technical or perfecting changes they needed to implement current law. Andy Jacobs and I then introduced this legislation, which was favorably reported by the Ways and Means Committee on a bipartisan basis. Andy's constructive, bipartisan leadership on Social Security issues will be greatly missed.

Again, let me make it clear that the administration requested these technical provisions.

According to the Social Security Administration, these amendments are needed to clarify, first, the drug addicts and alcoholics provisions enacted under Public Law 104-121, thereby closing a loophole and preventing payment of benefits not intended by Congress; second, to clarify that the only judicial review available to disability applicants is the normal judicial review of the final decision of the Commissioner of Social Security, and that the State disability determination services and their employees, like Federal officials, cannot be sued for their official acts when making disability decisions under the Social Security Act; third, to grant SSA continued demonstration project authority; and fourth, to perfect provisions of the Uruguay Round Agreements Act, allowing for optional tax withholding from Social Security benefits.

In addition to the technical provisions requested by SSA, H.R. 4039 includes provisions that further restrict payment of Social Security benefits to prisoners. These provisions are virtually identical to ones included in the recently enacted welfare reform bill affecting prisoners who receive supplemental security income benefits.

They restrict payment of benefits to all criminals incarcerated throughout a month, and provide a financial incentive to correctional facilities to report their incarceration to SSA. The provisions save the Social Security trust funds \$35 million over 7 years. I want to commend my colleague on the Ways and Means Committee, Mr. HERGER, for his leadership on this issue.

I also want to thank both the minority staff and SSA staff for providing their assistance in formulating this package.

The Social Security Subcommittee has worked diligently to assist SSA by providing the legislative corrections that SSA said that it needed to fulfill its responsibilities to Congress and the American public.

Neither the Congress nor the American public wants to see Social Secu-

rity benefits paid to drug addicts, alcoholics, or criminals who should not receive them.

I hope that for the sake of the hard-working American public, the Senate will see fit to act quickly so that current programs may continue to run as they should, and the intent of Congress to stop Social Security payments to drug addicts, alcoholics, and prisoners will be fulfilled. I urge support of H.R. 4039.

Mr. Speaker, I reserve the balance of my time.

Mr. PAYNE of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 4039. I have had the pleasure of serving on the Subcommittee on Social Security of the Committee on Ways and Means during this session of Congress, serving with Chairman JIM BUNNING who has worked tirelessly this session to bring about a Social Security Administration that deals fairly and effectively with Social Security. I have had the pleasure of serving with the gentleman from Indiana, ANDY JACOBS, who is retiring after 30 years, who has spent his entire career working on Social Security, protecting it and making it better. And I want to commend both of these gentlemen for the effective and bipartisan method in which they have constructed the business of the Social Security Subcommittee.

Mr. Speaker, I rise in support of H.R. 4039. This bill, as Chairman BUNNING has pointed out, makes a number of technical and miscellaneous changes in Social Security. It clarifies the effective date of the newly enacted law denying Social Security benefits to drug addicts and alcoholics.

□ 1730

It extends for 1 year the disability demonstration project authority of the Social Security Administration. It prohibits lawsuits directly against State disability determinations services. And in addition, the bill authorizes incentive payments to prisons and local jails to encourage jailers to turn over to the Social Security Administration the names of prisoners who are receiving Social Security payments. A number of years ago, the Congress prohibited the payment of Social Security benefits to prisoners, yet the Social Security Administration is having a difficult time obtaining the names of Social Security recipients incarcerated in the hundreds of local jails around the country. So this provision will offer an incentive to all institutions, both large and small ones, to provide the names of prisoners receiving Social Security benefits.

The Social Security Administration can then make sure that no prisoner continues to receive benefits while institutionalized.

Mr. Speaker, these are technical changes coupled with some improvements in the administration of the Social Security Program, and I urge their adoption.

Mr. CHRISTENSEN. Mr. Speaker, today represents another step in our efforts to end wasteful Government spending and end the practice of supporting criminals at the taxpayers expense.

Too many individuals serving time in our Nation's prisons currently receive regular Social Security payments, despite the fact that it's against the law. Current law prohibits prisoners from receiving old age, survivors, and disability [OASDI] benefits while incarcerated if they are convicted of any crime punishable by imprisonment of more than 1 year. Also, State and local correctional institutions are required to make available, upon written request, the name and Social Security number of any individual convicted and confined in a penal institution or correctional facility. However, despite current law prisoners are still robbing the taxpayers of their hard-earned money.

The House-passed version of the Personal Responsibility and Work Opportunity Act of 1996, corrected this wrong by prohibiting prisoners from receiving supplemental security income [SSI] and OASDI benefits while incarcerated. It also provided new financial incentives for State and local correctional institutions to report information on inmates to the Social Security Administration so that taxpayer supported benefits could promptly end. Unfortunately, the OASDI provisions were not included in the final version of the bill before it was signed into law.

Section 6 of H.R. 4039, the Social Security clarifying amendments, would restore the same prohibitions against payments of SSI benefits to OASDI benefits—saving the U.S. taxpayers \$35 million over 7 years. I strongly support these efforts to end the abuses in the Social Security benefits programs because it is time to stop frivolously spending the taxpayers money and get tough on criminals. This effort is one more necessary component to reforming our Federal prison system. For too long, liberal judges, slick lawyers, and misguided policies have turned prisons into playhouses. To fix that, I have put together legislation called the Criminal Correction and Victim Assistance Act that makes it clear once and for all that our prisons are not country clubs.

The bill would make Federal prisoners work 48 hours a week and study 12 hours more. It would place a 25-percent levy on prisoner wages to go toward victim restitution and the protection of our police officers. It would curb out-of-control frivolous lawsuits by Federal prisoners. The bill would also ban the use of televisions in Federal prisons. And it would prohibit weightlifting by Federal prisoners. Why should taxpayers be forced to pay for criminals to become stronger and more deadly so that they can then prey upon our families and children upon release? I was glad to see the ban on TV's and weights as well as the lawsuit curbs included in a measure which was signed into law this year.

All of these steps, including banning Social Security benefits for convicted criminals while incarcerated, send the signal that America will no longer tolerate those who prey on law-abiding families.

Mr. PAYNE of Virginia. Mr. Speaker, I yield back the balance of my time.

Mr. BUNNING of Kentucky. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GOODLATTE). The question is on the

motion offered by the gentleman from Kentucky [Mr. BUNNING] that the House suspend the rules and pass the bill, H.R. 4039, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was, as amended, passed.

A motion to reconsider was laid on the table.

#### DOLLEY MADISON COMMEMORATIVE COIN ACT

Mr. CASTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1684) to require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the birth of James Madison, as amended.

The Clerk read as follows:

H.R. 1684

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Dolley Madison Commemorative Coin Act".

#### SEC. 2. COIN SPECIFICATIONS.

(a) \$1 SILVER COINS.—In commemoration of the 150th anniversary of the death of Dolley Madison, the Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue not more than 500,000 1 dollar coins, which shall—

- (1) weigh 26.73 grams;
- (2) have a diameter of 1.500 inches; and
- (3) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

#### SEC. 3. SOURCES OF BULLION.

The Secretary shall obtain silver for minting coins under this Act only from stockpiles established under the Strategic and Critical Materials Stock Piling Act.

#### SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the 150th anniversary of the death of Dolley Madison and the life and achievements of the wife of the 4th President of the United States.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

- (A) a designation of the value of the coin;
- (B) an inscription of the year "1999"; and
- (C) inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(b) SELECTION.—The design for the coins minted under this Act shall be—

- (1) selected by the Secretary after consultation with the executive director of Montpelier, the National Trust for Historic Preservation, and the Commission of Fine Arts; and
- (2) reviewed by the Citizens Commemorative Coin Advisory Committee.

#### SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike

any particular quality of the coins minted under this Act.

(c) COMMENCEMENT OF ISSUANCE.—The Secretary may issue coins minted under this Act beginning January 1, 1999.

(d) TERMINATION OF MINTING AUTHORITY.—No coins may be minted under this Act after December 31, 1999.

#### SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

- (1) the face value of the coins;
- (2) the surcharge provided in subsection (d) with respect to such coins; and
- (3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

(d) SURCHARGES.—All sales shall include a surcharge of \$10 per coin.

#### SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods and services necessary for carrying out the provisions of this Act.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority of this Act from complying with any law relating to equal employment opportunity.

#### SEC. 8. DISTRIBUTION OF SURCHARGES.

Subject to section 10(a), all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the National Trust for Historic Preservation in the United States (hereafter in this Act referred to as the "National Trust") to be used—

- (1) to establish an endowment to be a permanent source of support for Montpelier, the home of James and Dolley Madison and a museum property of the National Trust; and
- (2) to fund capital restoration projects at Montpelier.

#### SEC. 9. FINANCIAL ASSURANCES.

(a) NO NET COST TO THE GOVERNMENT.—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this Act will not result in any net cost to the United States Government.

(b) PAYMENT FOR COINS.—A coin shall not be issued under this Act unless the Secretary has received—

- (1) full payment for the coin;
- (2) security satisfactory to the Secretary to indemnify the United States for full payment; or
- (3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board.

#### SEC. 10. CONDITIONS ON PAYMENT OF SURCHARGES.

(a) PAYMENT OF SURCHARGES.—Notwithstanding any other provision of law, no amount derived from the proceeds of any surcharge imposed on the sale of coins issued under this Act shall be paid to the National Trust unless—

- (1) all numismatic operation and program costs allocable to the program under which